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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,345	09/09/2003	Laszlo Jaloveczki	VDAN-40003	2126

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PYLE & PIONTEK
ROOM 2036
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CHICAGO, IL 60601

12/21/2006

EXAMINER

TOLENTINO, RODERICK

ART UNIT	PAPER NUMBER
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2134

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/658,345	JALOVECZKI, LASZLO	
	Examiner	Art Unit	
	Roderick Tolentino	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>09/09/2003</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 11 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Ozzie et al. U.S. Patent No. (5,664,099).
4. As per claim 1, Ozzie discloses assigning an identification code to said user and storing the assigned identification code at the authorization centre, assigning a symbol set selection algorithm to said user and storing the assigned symbol set selection algorithm at the authorization centre in association with the identification code of the user, wherein the symbol set selection algorithm being a list of instructions how a predetermined number of graphic symbols can be generated from a table of graphic symbols, wherein each graphic symbol is characterized by a predetermined number of dominant features and each dominant feature can take a number of values (Ozzie, Col. 5 Lines 26 – 37), displaying for said user on said remote terminal a table of a predetermined number of randomly chosen different graphic symbols so that the user can apply the assigned symbol set algorithm for generating a predetermined number of generated symbols (Ozzie, Co. 4 Lines 49 – 67), forwarding said generated symbols to

said authorization centre; forwarding said user identification code from the remote terminal to the authorization centre; at the authorisation centre using the received identification code and reproducing said generated symbols by using the symbol selection algorithm associated with the identified user and comparing the locally reproduced response symbols with the ones received from the remote terminal, and providing access to said user only if the received and generated symbols being identical (Ozzie, Col. 7 Lines 6 – 19, Validity).

5. As per claim 2, Ozzie discloses user identification code being also a predetermined number of said graphic symbols selectable from said displayed set of graphic symbols (Ozzie, Col. 5 Lines 24 – 32).

6. As per claim 3, Ozzie discloses displaying step showing to said user on said remote terminal respective lists associated with each of said features, each list comprising in a consecutive order all variations of the feature concerned, and allowing for said user to select from said lists in association with every generated symbol (Ozzie, Co. 4 Lines 49 – 67).

7. As per claim 4, Ozzie discloses features being the shape, the colour and a number written on each of said symbols (Ozzie, Figures 2A, 2B and 2C).

8. As per claim 5, Ozzie discloses symbol set generating algorithm comprises selection criteria of features (Ozzie, Co. 4 Lines 49 – 67).

9. As per claim 6, Ozzie discloses symbol set generating algorithm comprises selection and modification criteria of said features (Ozzie, Co. 4 Lines 49 – 67).

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10. As per claim 7, Ozzie discloses the step of carrying out a transformation on said generated symbols to obtain a longer sequence of characters, defined as cryptographic key, before being forwarded from said remote terminal to said authorisation centre, and in said authorisation centre using the same transformation, and in said comparing step comparing said transformed versions of the generated and reproduced symbols (Ozzie, Col. 4 Lines 43 – 48).

11. As per claim 8, Ozzie discloses communication between said remote terminal and said authorisation centre the transmittal of the identification code and the identification of the user at the authorisation centre preceding said displaying step, and in said displaying step constructing said table of graphic symbols in the knowledge of said symbol set generating algorithm associated with the particular user so that said algorithm becomes always applicable (Ozzie, Col. 5 Lines 24 – 32).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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13. Claims 9 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozzie et al. U.S. Patent No. (5,664,099) in view of Patzer et al. U.S. Patent No. (6,732,270).

14. As per claim 9, Ozzie teaches carrying out a transformation on said generated symbols to obtain a longer sequence of characters, defined as cryptographic key (Ozzie, Col. 4 Lines 43 – 48), but fails to teach before being forwarded from said remote terminal to said authorisation centre, using said cryptographic key for encrypting a message from said user to the authorisation centre, and in said authorisation centre using the same transformation to obtain said cryptographic key, and using said key to decrypt the forwarded information, and in said comparing step decrypting the received information, and the comparison is regarded positive when the decrypted information fulfils certain conditions known to the remote terminal and to the authorisation centre. However, in an analogous art Patzer teaches before being forwarded from said remote terminal to said authorisation centre, using said cryptographic key for encrypting a message from said user to the authorisation centre, and in said authorisation centre using the same transformation to obtain said cryptographic key, and using said key to decrypt the forwarded information, and in said comparing step decrypting the received information, and the comparison is regarded positive when the decrypted information fulfils certain conditions known to the remote terminal and to the authorisation centre (Patzer, Col. 4 Lines 46 – 55 and Claim 1).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Patzer's method to authenticate a network access server

to an authentication server with Ozzie's method for establishing a protected channel between a user and computer system because it offers the advantage of preventing unauthorized access to a system.

15. As per claim 10, Ozzie a modified teaches step of carrying out a transformation on said generated symbols to obtain a longer sequence of characters, defined as cryptographic key and carrying out a still another transformation on said generated symbols to obtain a unique cryptographic algorithm (Ozzie, Col. 4 Lines 43 – 48), before being forwarded from said remote terminal to said authorisation centre, using said cryptographic key and said unique cryptographic algorithm for encrypting a message from said user to the authorisation centre, and in said authorisation centre using the same transformation to obtain said cryptographic key and said cryptographic algorithm, and using said key and said algorithm to decrypt the forwarded information, and in said comparing step decrypting the received information, and the comparison is regarded positive when the decrypted information fulfils certain conditions known to the remote terminal and to the authorisation centre (Patzer, Col. 4 Lines 46 – 55 and Claim 1).

16. As per claim 11, Ozzie as modified teaches the step of creating a digital fingerprint (message authentication code, MAC) from the message of the user with the help of a one way hash function, encrypting the digital fingerprint using the said cryptographic key and unique cryptographic algorithm, forwarding from said remote terminal to said authorisation centre the message and the encrypted digital fingerprint, in said authorisation centre creating a digital fingerprint (message authentication code, MAC) from the message received from the user and using the same transformation to.

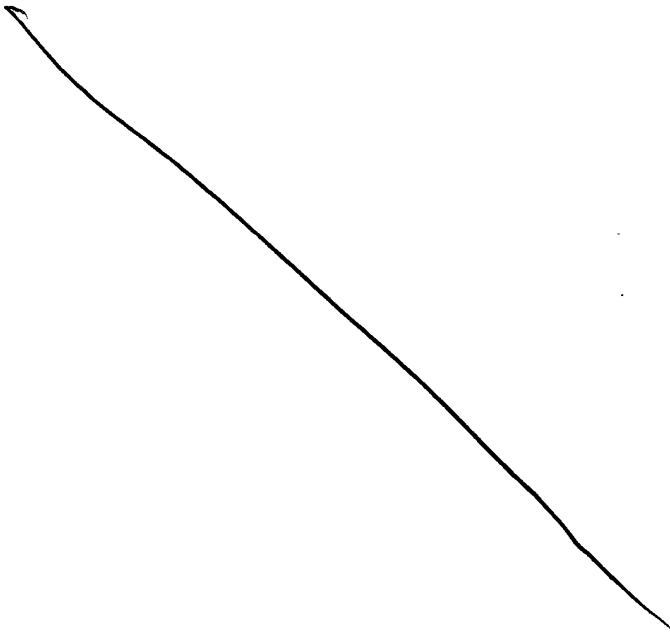
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obtain said cryptographic key and said cryptographic algorithm, and using said key and said algorithm to decrypt the digital fingerprint forwarded with the message and in said comparing step decrypting the received digital fingerprint and the comparison is regarded positive when the decrypted digital fingerprint and the digital fingerprint created in the authorisation centre are identical (Patzer, Col. 4 Lines 46 – 55 and Claim 1).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roderick Tolentino whose telephone number is (571) 272-2661. The examiner can normally be reached on 8:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.




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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Roderick Tolentino

Roderick Tolentino
Examiner
Art Unit 2134


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